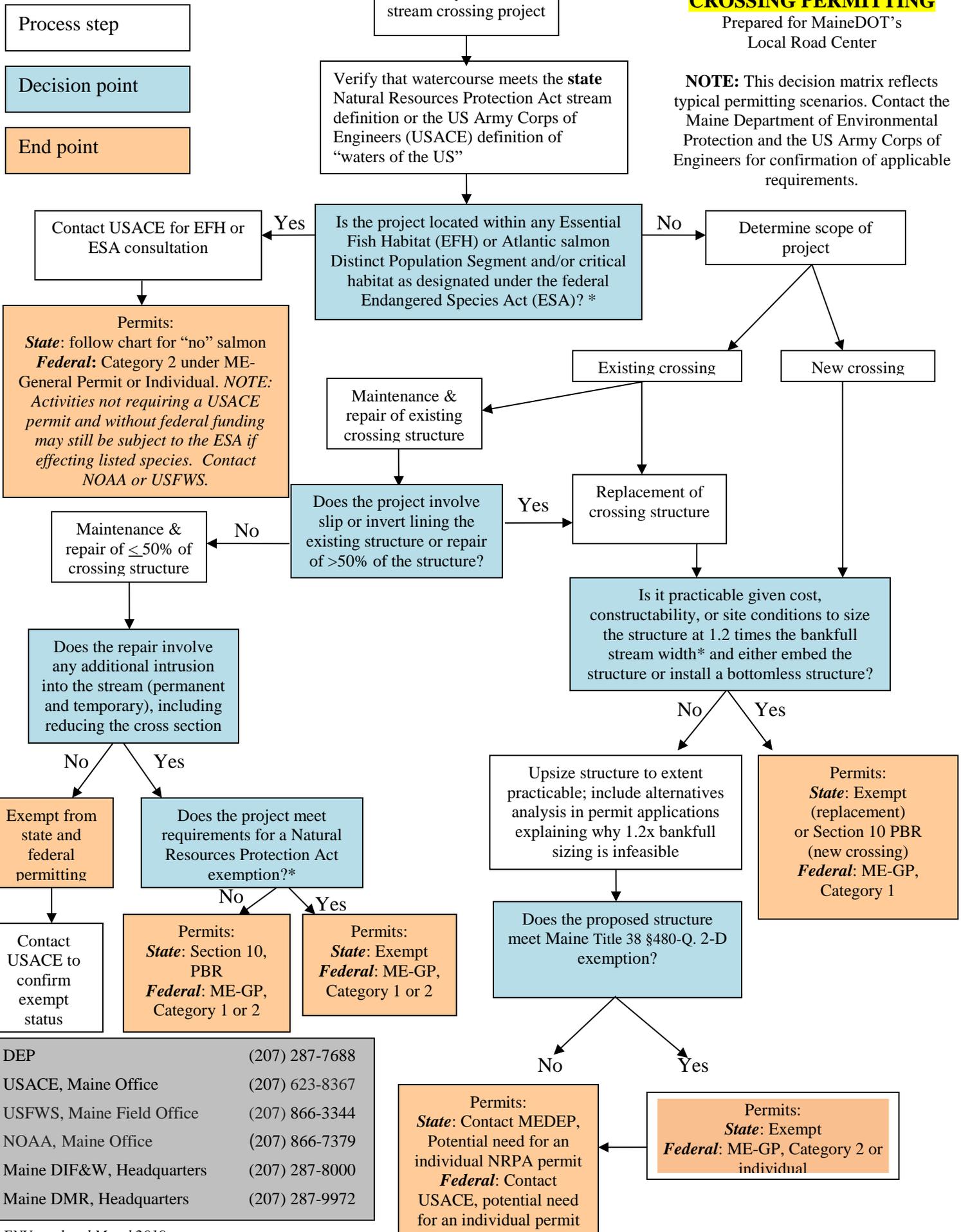


FLOWCHART FOR STREAM CROSSING PERMITTING

Prepared for MaineDOT's
Local Road Center

NOTE: This decision matrix reflects typical permitting scenarios. Contact the Maine Department of Environmental Protection and the US Army Corps of Engineers for confirmation of applicable requirements.



DEP	(207) 287-7688
USACE, Maine Office	(207) 623-8367
USFWS, Maine Field Office	(207) 866-3344
NOAA, Maine Office	(207) 866-7379
Maine DIF&W, Headquarters	(207) 287-8000
Maine DMR, Headquarters	(207) 287-9972

For information on the presence or absence of endangered or threatened species, including Atlantic salmon:

http://www.fws.gov/mainefieldoffice/Endangered_and_Threatened_Species.html

<https://ecos.fws.gov/ipac/>

For full text of the Natural Resources Protection Act (NRPA), including exemptions and definitions:

<http://www.mainelegislature.org/legis/statutes/38/title38sec480-A.html>

For Maine State Permit by Rule (PBR) standards:

<http://www.maine.gov/sos/cec/rules/06/096/096c305.doc>

For Maine State application forms:

<http://www.maine.gov/dep/land/nrpa/index.html>

For the U.S. Army Corps of Engineers (USACE) Maine General Permit:

<https://www.nae.usace.army.mil/Missions/Regulatory/State-General-Permits/Maine-General-Permit/>

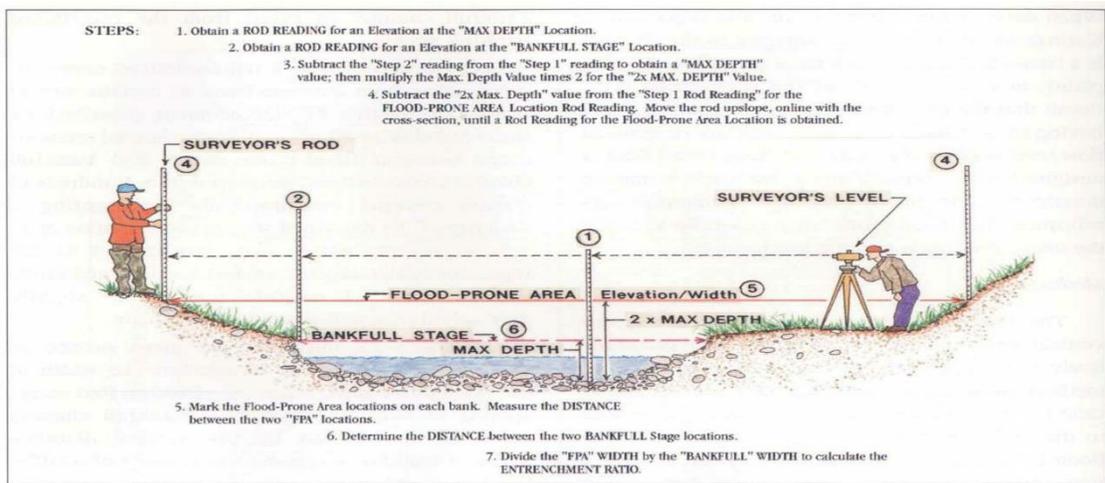
For Maine General Permit (GP) forms:

<http://www.usace.army.mil/Missions/CivilWorks/RegulatoryProgramandPermits/ObtainAPermit.aspx>

For information and assistance from the Maine Department of Inland Fisheries & Wildlife:

<https://www.maine.gov/ifw/about/contact/department-directory.html>

><))))> ><))))> ><))))> ><))))> ><))))> ><))))> ><))))> ><))))> ><))))> ><))))>



EFH Notice 210-WI-119 February 2009

><))))> ><))))> ><))))> ><))))> ><))))> ><))))> ><))))> ><))))> ><))))> ><))))>

Maine State, Natural Resources Protection Act. Title 38 §480-Q. Activities for which a permit is not required

A permit is not required for the following activities if the activity takes place solely in the area specified below: [1987, c. 809, §2 (NEW).]

2-D. Existing crossings. A permit is not required for the repair and maintenance of an existing crossing or for the replacement of an existing crossing, including ancillary crossing installation activities such as excavation and filling, in any protected natural resource area, as long as:

- A. Erosion control measures are taken to prevent sedimentation of the water; [2011, c. 205, §3 (NEW).]
- B. The crossing does not block passage for fish in the protected natural resource area; and [2011, c. 205, §3 (NEW).]
- C. For replacement crossings of a river, stream or brook:

(1) The replacement crossing is designed, installed and maintained to match the natural stream grade to avoid drops or perching; and

(2) As site conditions allow, crossing structures that are not open bottomed are embedded in the stream bottom a minimum of one foot or at least 25% of the culvert or other structure's diameter, whichever is greater, except that a crossing structure does not have to be embedded more than 2 feet. [2011, c. 205, §3 (NEW).]

For purposes of this subsection, "repair and maintenance" includes but is not limited to the riprapping of side slopes or culvert ends; removing debris and blockages within the crossing structure and at its inlet and outlet; and installing or replacing culvert ends if less than 50% of the crossing structure is being replaced.